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10 Attorneys for Plaintiff  
11 ESTEVAN ALVARADO-HERRERA

12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA, SOUTHERN DIVISION

14 ESTEVAN ALVARADO-HERRERA, an  
15 individual;

16 Plaintiff,

17 vs.

18 JOSE LUIS ALVAREZ, JR, individually; R &  
19 A CARRIERS, INC., a Texas corporation;  
20 ALVARO JOSE MEDEL, individually; ONE  
21 WAY TRUCKING, LLC., a Texas Limited  
22 Liability Company; and, DOES III through X,  
23 inclusive,

24 Defendants.

25 ACUITY, A MUTUAL INSURANCE  
26 COMPANY

27 Intervenor.

Case No.: 2:19-cv-00748-JAD-VCF

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER**

28 Plaintiff **ESTEVAN ALVARADO-HERRERA**, Defendant **R & A CARRIERS, INC.**, and  
Intervenor **ACUITY A MUTUAL INSURANCE COMPANY**, by and through their respective counsel

1 of record, Stipulated to a Discovery Plan and Scheduling Order on August 2, 2019 in the parties  
2 Stipulation and Order to Extend Discovery Period as follows:

3 1. **DISCOVERY CUT-OFF DATE.** The parties Stipulated to extend Discovery Cut-Off to  
4 **January 28, 2020.**

5  
6 2. **LAST DAY TO AMEND PLEADINGS AND/OR ADD PARTIES.** Shall occur ninety (90)  
7 days prior to the Discovery Cut-off date – in this matter: **October 28, 2019.**

8 3. **DISCLOSURE OF EXPERTS.** The last day for disclosing experts will be sixty (60) days  
9 before the close of discovery which is **November 27, 2019.**

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11 4. **REBUTTAL EXPERTS.** The last day for disclosing rebuttal experts shall be thirty (30) days  
12 after the disclosure of initial experts which is **December 27, 2019.**

13 5. **DISPOSITIVE MOTIONS.** The last date for filing dispositive motions shall be no later than  
14 thirty (30) days after the close of discovery which is **February 28, 2020.**

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16 6. **PRE-TRIAL ORDER.** The Joint Pre-Trial Order shall be filed no later than thirty (30) days  
17 after the date set for the filing of dispositive motions which is **March 30, 2020.** The disclosures required  
18 by F.R.C.P. 26(a)(3) and any objections thereto shall be included in the Pre-Trial Order. In the event  
19 dispositive motions are filed, the filing of the Pre-Trial shall be suspended until thirty (30) days after the  
20 Court enters its decision on the dispositive motion, if any.

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22 7. **ALTERNATIVE DISPUTE RESOLUTION.** The parties met previously determined that the  
23 possibility of using alternative dispute-resolution processes including mediation and arbitration, and the  
24 parties determined it was premature to discuss such measures at this time, but will consider alternative  
25 dispute resolutions as the case moves forward.

1 8. **ALTERNATIVE FORMS OF CASE DISPOSITION.** The parties considered consent to trial  
2 by magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial  
3 Program, and at this time do not consent to trial by magistrate or the short trial program.

4 9. **ELECTRONIC EVIDENCE.** The parties certified they discussed whether they intend to  
5 present evidence in electronic format to jurors, and the parties determined at this time there would not  
6 be any. If the parties revisit the presentation of any electronically stored information, they will file the  
7 appropriate stipulation with the Court.  
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9 Plaintiff ESTEVAN ALVARADO-HERRERA filed his Amended Complaint against Defendant  
10 **One Way Trucking, LLC** and Defendant **Alvaro Jose Medel** on August 29<sup>th</sup>, 2019.

11 Defendant **Acuity** filed its' Answer to the Amended Complaint on August 29<sup>th</sup>, 2019. Defendant  
12 **R & A Carriers, Inc.** filed its' Answer to the Amended Complaint on September 10<sup>th</sup>, 2019.  
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Defendant **One Way Trucking, LLC** was served with the Summons and Amended Complaint on September 13, 2019. Defendant **Alvaro Jose Medel** was served with the Summons and Amended Complaint on September 10, 2019. Neither Defendant One Way Trucking, LLC nor Defendant Alvaro Jose Medel has filed an Answer to the Amended Complaint.

DATED this 14<sup>th</sup> day of October, 2019.

LAW OFFICE OF WILLIAM H. JACKSON

By /s/ John P. Shannon

JOHN P. SHANNON, ESQ.

Nevada Bar No. 7906

JASON S. COOK, ESQ.

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Attorney for Plaintiff

DATED this 14<sup>th</sup> day of October, 2019.

WEINBERG WHEELER HUDGINS GUNN  
& DIAL

By /s/ Daniela LaBounty

D. LEE ROBERTS, JR., ESQ.

Nevada Bar No. 8877

DANIELA LaBOUNTY, ESQ.

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Las Vegas, Nevada 89118

Attorney for Defendant R&A Carriers, Inc.

DATED this 14<sup>th</sup> day of October, 2019.

ROGERS MASTRANGELO CARVALHO  
& MITCHELL

By /s/ Marissa R. Temple

MARISSA R. TEMPLE, ESQ.

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Las Vegas, Nevada 89101

Attorney for Intervenor Acuity, A Mutual  
Insurance Company

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Alvarado-Herrera vs. R&A Carriers, Inc., et al.  
Case No. 2:19-cv-00748-JAD-VCF  
Stipulation and Order

**IT IS SO ORDERED:**

\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE  
DATED this \_\_\_\_\_ day of October, 2019